

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11861 of 2023

Arising Out of PS. Case No.-112 Year-2022 Thana- GHANSHYAMPUR District- Darbhanga

RAJWALI YADAV S/o Baidyanath Yadav R/o Village- Kumai, P.S.-
Ghanshyampur, Distt- Darbhanga.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sheo Kumar Prasad

For the Opposite Party/s : Mr. Upendra Kumar

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 05-05-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has prayed for regular bail in a case registered for the offence punishable under sections 419, 420 of the Indian Penal Code and Sections 30(a), 32(iii), 36, 41(i) of the Bihar Prohibition and Excise Act.

Prosecution case relates to recovery of total 323.25 liters illicit foreign liquor from three different vehicles and the petitioner is alleged to be fled away from the place of occurrence.

Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has committed no offence. He has falsely been implicated in this present case. Petitioner has no concern with the alleged recovery of illicit



liquor or with the vehicles in question. Neither the petitioner was arrested on spot nor any incriminating article has been recovered from his conscious possession rather his name has been disclosed in this case by co-accused namely, Om Prakash who was apprehended on spot. It is further submitted that the petitioner is languishing in judicial custody since 15.11.2022.

Learned APP appearing for the State has vehemently opposed the prayer of Bail.

Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as period of custody of the petitioner, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Ghanshyampur P.S. Case No. 112 of 2022 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge Excise IInd, Darbhanga.

(Sunil Kumar Panwar, J)

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